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TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 36—INTERIM PROCEDURES GOVERNING FAIR EMPLOYMENT PRACTICES UNDER EXECUTIVE ORDER 9980

Pursuant to Executive Order 9980 the Commission, pending the establishment of the Fair Employment Board authorized therein, hereby prescribes the following interim procedures governing fair employment practices within the executive branch of the Government:

Sec.
36.1 Coverage.
36.2 Fair Employment Officer.
36.3 General procedures for handling complaints and appeals.
36.4 Discrimination alleged in connection with other types of appeals.

AUTHORITY: §§ 36.1 to 36.4, issued under section 8 of Executive Order 9980, 13 F. R. 4311.

§ 36.1 *Coverage.* The regulations in this part shall apply to all departments and agencies in the executive branch of the Government and to all personnel actions with respect to positions therein.

§ 36.2 *Fair Employment Officer.* (a) The head of each department or agency shall designate an official thereof as Fair Employment Officer, and shall assign to him the duties and responsibilities which will further the effective administrative operation of the department or agency and encourage the carrying out of Executive Order 9980.

(b) The Fair Employment Officer may represent the head of the department or agency in matters pertaining to Executive Order 9980, subject to his instructions.

(c) The head of each department or agency shall provide, on a temporary or permanent basis, either a Fair Employment Officer, or a Fair Employment Board, for each regional or other appropriate field office or local establishment in accordance with the needs and problems of the agency in each field area. Such Fair Employment Officer or Fair Employment Board shall be appointed from among the officers and employees of the department or agency.

(d) The head of each department or agency shall instruct the officers of his department or agency with regard to the meaning, spirit, and application of Executive Order 9980. He shall give notice to all officers and employees of the designation of the Fair Employment Officer, and to the employees of the regional or other appropriate field office of the designation of the Fair Employment Officer or Board for that office.

§ 36.3 *General procedures for handling complaints and appeals.* (a) Complaints concerning personnel actions taken in any department or agency on grounds of alleged discrimination because of race, color, religion, or national origin shall be made not later than 30 calendar days after the complainant learns of the alleged acts of discrimination.

(b) Any person having a complaint concerning a personnel action taken in the department or agency on grounds of alleged discrimination shall first make a formal or informal complaint either to the head of the organizational unit in the local office where the alleged acts of discrimination occurred, or to the head of such local office, in order to obtain proper understanding and adjustment, if possible, through such means at this level of the department or agency.

(c) Hearings on complaints or appeals concerning personnel actions which it is alleged were taken by the department or agency on grounds of discrimination shall be conducted in the first instance within the regional office or other appropriate field office or local establishment.

(d) The complainant shall have a further right of appeal, if desired, through successively higher appropriate agency channels, including appeal to the head of the agency. Complaints which are appealed beyond the head of the local office involved shall be in writing, and shall include a description of the specific action which is alleged to constitute the discrimination, together with evidence to support the allegation.

(e) Complaints shall be investigated as well as heard in such manner as appears fair and appropriate to the head of the department or agency, in consulta-

(Continued on next page)

CONTENTS

FEDERAL REGISTER

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CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

tion with the Fair Employment Officer. The complainant and the officers or employees against whom complaint is made shall present their side of the case to the investigator, who may require the complainant to further substantiate his complaint by bringing in witnesses or indicating further sources of information. He may also require the officers or employees concerned to submit additional information.

(f) Whenever the Fair Employment Officer or Fair Employment Board finds that discrimination because of race, color, religion, or national origin is established in connection with any personnel action he shall advise the head of the regional office or other appropriate office of the department or agency.

(g) The head of the department or agency shall provide a suitable method for taking corrective administrative action in cases where complaints appear, after investigation, to be justified.

(h) Where appeal is made to the head of the department or agency, the complainant and other officers or employees of the department or agency involved in the complaint shall be afforded an opportunity to appear personally before the head of such agency, or a person designated by such head. The complainant, if he so desires, may have a representative of his own choosing.

(i) An appeal from an unfavorable decision by the head of the department or agency may be filed with the Fair Employment Board in the Civil Service Commission.

§ 36.4 *Discrimination alleged in connection with other types of appeals.* (a) Where an appeal involving section 14 of the Veterans' Preference Act of 1944, or reduction in force, or efficiency rating, includes also complaint of alleged discrimination on grounds of race, color, religion, or national origin, such appeal shall first be adjudicated in accordance with the Commission's regulations that are regularly applicable in these types of appeals. The question of discrimination shall then be referred to the department or agency concerned for such further action as may be necessary under Executive Order 9980.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-8695; Filed, Sept. 28, 1948; 8:54 a. m.]

TITLE 12—BANKS AND BANKING

Chapter II—Federal Reserve System

Subchapter A—Board of Governors of the Federal Reserve System

[Regulation W]

PART 222—CONSUMER INSTALLMENT CREDIT

SUMMARY OF INTERPRETATIONS

§ 222.102 *Summary of interpretations of former Part 222 which are applicable under present Part 222.* In view of the fact that Part 222 which became effective September 20, 1948, is similar in very many respects to Part 222 which was in effect before November 2, 1947, a number of the interpretations which were issued by the Board of Governors before November 2, 1947, will be applicable under the new Part 222.

All of these interpretations are summarized below except three which were published in the FEDERAL REGISTER at 12 F. R. 827, 947 and 949. The summaries are arranged in approximately the same order as the provisions of Part 222 to which they relate.

Isolated transaction. Although an automobile salesman may sell his demonstrator as an isolated transaction on terms which do not comply with Part 222, the dealer-employer, if a Registrant, may not purchase the resulting obligation unless it complies with the requirements of Part 222. Of course, if the relation of the salesman and the dealer is such that the automobile is in effect the property of the dealer rather than of the salesman, the sale would be subject to Part 222.

An electric company which purchases substantial numbers of automobiles for cash and sells them to its salesmen on a monthly payment plan is "engaged

in the business" described in § 222.2 (a) and the sales must comply with the down payment and other requirements.

Excess down payment. A purchaser who has made a down payment in excess of the amount required by Part 222 may not later have the excess applied as part of the down payment on another listed article.

Installments in decreasing amounts. Sections 222.3 (b) (1) and 222.4 (c) (1) are worded in the alternative. Consequently, a first installment of $65, for example, may be followed by 14 installments of $23.

Balloon note. A note which calls for 11 equal monthly payments followed by one larger payment meets the requirements of Part 222 if there is an express agreement that when the twelfth payment falls due, only a portion of it will be paid on that date and the rest will be refinanced into three monthly payments in such a manner that the net result will be 15 substantially equal monthly payments.

Small deficiencies. Deficiencies in down payments, even in small amounts, are not permissible, except as permitted by § 222.6 (f).

Transfer of equity. Where the original installment purchaser of a listed article transfers his equity to another purchaser by transferring the article subject to the original debt and lien, the transfer being arranged directly between the parties and not by or through any Registrant, the transfer may be made without restriction under Part 222 provided the original purchaser (who is not a Registrant) remains liable on the contract and there is no change in the contract except the addition of the signature of the new purchaser. However, if the original purchaser is released, or the terms of the contract are altered, the same requirement would apply as if the Registrant were making an ordinary installment sale of the listed article.

Statement of borrower. Where there are several parties to a note, some of whom are accommodation makers, the Statement of the Borrower required by § 222.4 (d) need be obtained only from the party who receives the proceeds of the loan.

Advance by insurance company to agent. An advance made by an insurance company to one of its agents which is repayable in installments is subject to Part 222 to the same extent as any other installment loan. It would not be subject to Part 222 if it is an isolated loan made by a company not "engaged in the business" of making installment loans; or if it is exempt under § 222.7 (a) "Business or Agricultural Loans" as, for example, a loan to a general agent to pay office rent or salaries of his employees; or if the circumstances are such as to indicate that the advance is not a loan, as where the agent is under no personal obligation, express or implied, to repay and no interest is charged, the company having only the right to make deductions from commissions earned.

Add-on sale over $5,000. An add-on sale of a listed article having a cash price of $900 which is consolidated with an existing obligation of $4,200 resulting in a total credit of more than $5,000, is not subject to Part 222, and therefore no down payment is required in connection with the add-on sale. However, if the total credit is less than $5,000, the down payment is required.

Loan over $5,000. A loan over $5,000 is not subject to Part 222 even if a part of it is to be used to pay off an indebtedness which was subject to Part 222. The renewal or revision of a loan which was originally more than $5,000 is not subject to Part 222 even though the balance at the time of renewal or revision is less than $5,000. If instead of renewing or revising such an obligation, the lender makes one installment loan of less than $5,000, part of the proceeds of which are to be used to pay off the old obligation, only the part of the loan representing new money is subject to Part 222. In such cases however, it would ordinarily be better practice for the lending institution to keep the two credits separate.

Defaulted obligations. Section 222.5 (c) (1) permits a Registrant to renew or revise an obligation on such terms as he deems necessary in good faith, where the obligation is in default and the subject of bona fide collection effort by him and the action is for his own protection. Only the Registrant holding the obligation is permitted to make such renewals or revisions. Another Registrant, however, may discount and receive payments upon an obligation which prior to discount has been renewed or revised as permitted by this section. The section also permits a Registrant who has purchased a delinquent installment obligation and who has exercised a bona fide collection effort, to revise the obligation on terms not initially permissible. Any renewal or revision pursuant to this section must be the last resort (except, of course, litigation) and a measure to be taken only after other means of collection have been exhausted.

Delay in delivery. If in an installment sale subject to Part 222 the article sold is not going to be delivered until a date subsequent to the date of the contract, the maximum maturity may be calculated from the date of delivery and the first installment may fall due one month after the date of delivery with, of course, the usual option under § 222.6 (b) of making the 15-day adjustment permitted by that section with respect both to the maximum maturity and the date of the first installment.

Record of installment sale. The "Record of Installment Sale" described in § 222.6 (c) need not be on a single sheet of paper and need not use the terminology used in that section. The cash price may be shown as a total without itemizing taxes and accessories, but the accessories must be identified.

Agreement to convert charge account. The sale of a listed article in a charge account with an agreement or understanding that the credit will later be converted into an installment contract violates §§ 222.3 (a) and 222.6 (i).

Side loan to make down payment. The words " any other extension of credit" in § 222.6 (j) include but are not confined to other extensions of installment credit.

Section 222.6 (j) refers to the down payment required by this part. Accordingly, if a seller asks for a larger down payment than is required by this part, paragraph (j) would not prevent the lender from lending the difference between the down payment required by this part and the down payment required by the seller.

Veterans' loans. Section 222.7 (d) (5) includes loans guaranteed or insured under Chapter 23B of Title 38 of the New Jersey Statutes.

Investment securities. Savings passbooks are not "investment securities" under § 222.7 (f).

Loans to carry securities. The word "carrying" in § 222.7 (f) means the refinancing of any indebtedness originally incurred for the purpose of purchasing investment securities.

Section 222.7 (f) would not exempt a loan made by a credit union secured by its shares to enable the borrower to purchase such shares if there were an agreement that the borrower would be permitted to withdraw any portion of the share account at any time if the credit union felt that the loan was otherwise adequately secured, because such a loan would have a dual purpose and not the single purpose mentioned in § 222.7 (f).

Single payment or installment credit. An extension of credit, which upon its face is repayable in only one scheduled payment, is an extension of installment credit if at the time it is made the lender and the borrower have an understanding that the borrower will be required to make only a partial payment at maturity and that the balance will be renewed. However, if a Registrant makes a sale on credit under an agreement which does not expressly provide for installment payments by the customer, the transaction need not be treated as an "installment sale" even though the customer has previously made partial, divided, or serial payments in his account, or, regardless of previous practice, indicates an intention to do so in this instance: *Provided*, There is no bilateral understanding between the customer and the seller that the customer is required to make payments in such manner. Likewise, an ordinary bank loan evidenced by a promissory note payable in full at maturity is not an "installment" loan subject to Part 222 even though the bank may anticipate that at the maturity of the note it may accept partial payment and a renewal note; *Provided*, The bank makes no commitment to do so and the transaction is entered into in good faith and not as a means of evading Part 222.

Lease with option to purchase. A lease with an option to purchase is an "extension of credit" within the meaning of Part 222, and the lessor should obtain the down payment and periodic payments which would be required in the event of a sale. If the lessee decides not to exercise his option to purchase, the Registrant may return to him the difference between these payments and the amount of rental agreed upon. Of course, Part 222 does not apply to a bona fide rental without an option to purchase.

Obligation payable to seller or financial institution. If the seller of a listed article takes an installment note in payment, the transaction is a sale subject to Part 222, whether the note is payable to

the seller or to a bank or finance company. If the seller of an unlisted article takes a note payable to himself, the transaction is exempt from Part 222 because Part 222 does not apply to the sale of an unlisted article. However, if the seller of an unlisted article takes an installment note payable to a bank or finance company, the transaction (if for $5,000 or less) is subject to Part 222 as an installment loan.

Notes payable to insurance agents for premiums are not subject to Part 222, because insurance is not a listed article. However, an installment loan by a bank for the purpose of paying such premiums is subject to Part 222, except as provided in § 222.7 (e).

Consumer-violator. A consumer who knowingly violates or induces violations of this Part may subject himself to criminal penalties.

Listed article installed in house. Section 222.7 (g) (1) exempts a loan to purchase a house even if the house is one in which certain listed articles have previously been incorporated. However, this section does not exempt a mortgage loan to be used to purchase a listed article.

In view of § 222.6 (d), an extension of credit which combines an exempt credit such as one to repair a house as referred to in § 222.7 (g) (2) and a credit subject to Part 222 such as one to finance a listed article cannot exceed in amount the cost of the repairs plus the cost of the listed article minus the down payment required thereon by Part 222, and the installments in which the credit is payable must be sufficiently large to repay the balance of the cost of the listed article within the maturity specified for the listed article in § 222.9, part 2.

Bank discounting obligation. A bank which purchases or discounts an obligation is not required to ascertain whether the seller is licensed under this part.

If a bank lends to a finance company on the security of installment obligations arising from sales of listed articles, there could be no violation of Part 222 in making such a loan or receiving payments on the loan from the finance company so long as the payments do not arise directly from the underlying obligations held as collateral. However, if and when the bank wishes to resort to the collateral and to obtain payments directly out of the underlying obligations, it may not do so unless the requirements of § 222.8 (e) (2) were met.

Accessories sold with automobile. Where a new automobile is sold equipped with accessories, such as radio and heater, the cost of the accessories is part of the "cash price" of the automobile under § 222.8 (h) (7), and the maximum loan value is limited to two-thirds of the total cash price.

Listed articles. The classification "automobiles" includes station wagons and the "Jeep Station Wagon" (trade name). It does not include trailers, ambulances, hearses or jeeps.

The classification "Cooking stoves and ranges" does not include cooking and baking equipment designed for commercial use in restaurants and hotels, or a deep-fat fryer designed for such use.

The classification "Ironers designed for household use" does not include hand irons.

The classification "Refrigerators, Mechanical" does not include cabinets to hold or display ice cream or other products for sale; nor coin-operated machines for dispensing beverages; nor water coolers; nor milk coolers designed for household use. The classification "Refrigerators, Mechanical" includes a system consisting of one or more cabinets, each of which has less than 12 cubic feet capacity, with a separate mechanical refrigeration unit serving these cabinets, even though the total capacity of the system is more than 12 cubic feet. The classification "Refrigerators" does not include a locker in a locker plant.

The classification "Air conditioners" includes portable units of one horsepower or less.

The classification "phonographs or combinations" does not include coin-operated phonographs.

Repairs and replacement parts for automobiles, refrigerators and other listed articles are not themselves listed articles.

The classification "Furniture" does not include an ice refrigerator of 12 cubic feet or more rated capacity; nor does it include a prefabricated decorative fireplace not suitable for heating purposes. The classification "Furniture" includes mirrors, unpainted furniture, kitchen or breakfast room sets, and swings. It does not include pictures, chinaware, cooking utensils or silver-plated flatware. A piece of furnitutre, such as a table, lamp or a bed having a radio built into it, is to be classified in accordance with the relative value of the component parts so that if the value of the radio is greater than the value of the lamp as a separate piece of furniture, the article should be classified as a radio. Furniture of the type used in households is subject to Part 222 even though the particular piece may be sold for use in an office, hospital, store or other commercial building.

Calculating down payment on automobiles. Taxes and fees payable as a prerequisite to obtaining license plates may be included in the "cash price" of the automobile.

The equity in a used car may be used as a down payment on another car, and for this purpose the dealer may accept the first car and pay off the contract on it. However, if the owner obtains a loan to pay off the contract on his old car, and in addition uses the car as a trade-in, the loan would violate § 222.6 (j).

Where a fictitious amount is added to the price of an automobile and is later eliminated from the price actually paid by the purchaser (either by an increase in trade-in allowance or by way of discount or otherwise) the "cash price" of the automobile under § 222.8 (h) (7) and § 222.9, part 4, does not include the fictitious amount thus added.

Calculating down payment on other articles. When an article is traded in on a listed article other than an automobile, part 5 of § 222.9 requires that the value of the article traded in (or the value of the purchaser's equity in it) be deducted in order to ascertain the net price to be used in calculating the down payment or loan value of the article being purchased. However, part 5 of § 222.9 does not prohibit the seller from taking back an article which is unsatisfactory to the purchaser if the seller allows the full purchase price as a credit against the price of the new article. Of course, if the price of the new article in such a case is inflated in order to offset depreciation in the original article, the transaction would violate part 5 and § 222.6 (i).

Any inquiries relating to these interpretations or to Part 222 should be addressed to the Federal Reserve Bank or Federal Reserve Branch Bank of the District in which the inquiry arises.

(Sec. 5 (b), 40 Stat. 415, as amended, Pub. Law 905, 80th Cong.; 12 U. S. C. and Sup. 95 (a), 50 U. S. C. 616, 617; E. O. 8843, Aug. 9, 1941, 3 CFR Cum. Supp., Chapter II)

BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM,
[SEAL] S. R. CARPENTER,
Secretary.

[F. R. Doc. 48-8684; Filed, Sept. 28, 1948; 8:49 a. m.]

TITLE 34—NATIONAL MILITARY ESTABLISHMENT

Chapter VII—Department of the Air Force

Subchapter H—Procurement

PART 890—INTERIM STATEMENT

Sec.
890.1 General.
890.2 Basic policies.
890.3 Responsibilities.
890.4 Delegation of final authority.
890.5 Purchases.
890.6 Public information.
890.7 Functions performed by the Army for the Air Force.
890.8 Qualified products.

AUTHORITY: §§ 890.1 to 890.8 issued under Pub. Law 413, 80th Cong., 62 Stat. 21.

§ 890.1 *General.* Pursuant to authority granted by the National Security Act (61 Stat. 499; 5 U. S. C. Sup. 1, 626), the Secretary of Defense by Transfer Order 6 (13 F. R. 218) transferred certain functions with respect to procurement and related matters from the Department of the Army to the Department of the Air Force effective January 15, 1948. The exercise of these functions by the Department of the Air Force is now accomplished under the provisions of the Armed Services Procurement Act of 1947, (Pub. Law 413, 80th Cong., 62 Stat. 21) and the Armed Services Procurement Regulation now in the process of publication, the first six parts of which were published in 13 F. R. 3074 and 13 F. R. 4914. This part contains the broad basic policies of the Departments of the Air Force, Army and Navy. The detailed procurement policies and procedures of the Department of the Air Force are contained in Joint Procurement Regulations of the Departments of the Army and Air Force heretofore published under Chapter VIII, Title 10, Department of the Army.

§ 890.2 *Basic policies.* It is the objective of the Department of the Air Force

to use that method of procurement which will be most advantageous to the Government—price, quality and other factors considered. The two principal methods of procurement are by means of formal advertising and by negotiation. The policy of the Department of the Air Force is that procurement will generally be made by formal advertising for bids and thereafter awarding a contract to the lowest responsible bidder. Procurement may be effected by negotiation, however, when authorized by section 2 (c) of the Armed Services Procurement Act 1947 and provisions of the Armed Services Procurement Regulation and the Joint Army-Air Force Procurement Regulations to the extent they have not been superseded by the Armed Services Procurement Regulation. Irrespective of whether procurement of services or supplies from sources outside the Government is to be effected by formal advertising or negotiation, bids or quotations are solicited from all such qualified sources as are deemed necessary by the Contracting Officer to assure such full and free competition as is consistent with the procurement of types of supplies and services necessary to meet the requirements of the Department. It is also the policy of the Department to place with small business concerns (for this purpose considered to be any concern which employs fewer than 500 persons) a fair proportion of the total procurement of supplies and services for the Department.

§ 890.3 *Responsibilities.* The Under Secretary of the Air Force is responsible for the procurement policies and activities of the Department of the Air Force. Under the direction of the Under Secretary, and the Chief of Staff, the Deputy Chief of Staff, Matériel is responsible for the formulation of procurement policies of the Department of the Air Force. Deviations from the requirements of procurement regulations may be made only by and with the approval of the Deputy Chief of Staff, Matériel or higher authority.

§ 890.4 *Delegation of final authority.* The Commanding General, Air Materiel Command as the head of a procuring activity, has been delegated authority to take final action with respect to procurement and related matters as set forth in the Armed Services Procurement Regulation and the Joint Procurement Regulations. This delegation includes responsibility for staff supervision of procurement activities accomplished by all other activities of the United States Air Force, with the exception of oversea commands.

§ 890.5 *Purchases.* All major purchases for the United States Air Force are made by the Air Materiel Command, Wright-Patterson Air Force Base, Dayton, Ohio. Local purchases are made by individual United States Air Force activities and stations.

§ 890.6 *Public information*—(a) *Bids and forms.* Information regarding submission of bids, contract forms, lists of bidders etc. may be secured by writing to the Commanding General, Air Materiel Command, Wright-Patterson Air Force Base, Dayton, Ohio or, with respect to local purchases, to the contracting officers of the Air Force activity concerned.

(b) *Bid invitations.* A copy of each invitation for bid (formal advertising) issued by United States Air Force activities and a copy of each abstract of bids indicating award or other action taken is on file in the Purchase Information Section, Logistics Division, General Staff, United States Army, Room 5–B 725, The Pentagon, Washington, D. C., and is available for public inspection during business hours. This office is maintained for this purpose for both the Departments of the Air Force and the Army.

§ 890.7 *Functions performed by the Army for the Air Force.* The Secretary of the Army and the Department of the Army will continue to perform for the Secretary of the Air Force and the Department of the Air Force, to the same extent as they did prior to the transfer of procurement functions to the Department of the Air Force, the functions enumerated below:

(a) Matters falling under the Contract Settlement Act of 1944 (58 Stat. 649; 41 U. S. C. 101–125), except as to fraud matters arising out of such contracts or the settlement thereof.

(b) Renegotiation cases involving contracts of the Army Air Forces under the Renegotiation Act of 1942 as amended (56 Stat. 245 as amended; 50 U. S. C. App. 1191).

(c) Approval of all bonds furnished by contractors of the Department of the Air Force in connection with contracts hereafter made by the Department of the Air Force.

(d) Matters now or hereafter authorized to be considered and disposed of by Army Advisory Board on Government Furnished Property.

(e) Matters now or hereafter authorized to be considered and disposed of by Army Board of Contract Appeals.

(f) Appeals in relation to requisitioning personal property heretofore requisitioned.

(g) Contract insurance matters.

(h) Administration of outstanding and unsettled guaranteed loans.

(i) Claims under the act of August 7, 1946 (60 Stat. 902; 41 U. S. C. 106 note).

§ 890.8 *Qualified products.* In those instances where it has been shown to be necessary in the light of existing performance requirements to obtain products of requisite quality, the Department of the Air Force may subject certain products and materials to qualification test, and may approve them for use. This authority has been delegated to the Commanding General, Air Matériel Command, Wright-Patterson Air Force Base, Dayton, Ohio. Upon determination that a product is to be covered by a Qualified Products List, opportunity will be given, and manufacturers urged, to submit for qualification tests any products of the general type required. Publicity will be given to the intention to place a product on a Qualified Products List and to the fact that, in making future awards, consideration may be given only to such products as have been accepted for inclusion in a Qualified Products List. The manner, extent, and cost of testing will be in accordance with instructions issued by the Commanding General, Air Matériel Command. Qualified Products Lists will be compiled, prepared, maintained and administered in accordance with instructions issued by the Commanding General, Air Matériel Command.

[SEAL] L. L. JUDGE,
Colonel, U. S. Air Force,
Air Adjutant General.

[F. R. Doc. 48-8680; Filed, Sept. 28, 1948; 8:48 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

[Circular 1696]

PART 191—GENERAL REGULATIONS APPLICABLE TO PERMITS, LEASES AND LICENSES (PARTS 192 TO 200)

MISCELLANEOUS AMENDMENTS

1. Section 191.9 is amended to read as follows:

§ 191.9 *Survey of lands for leasing.* Unsurveyed lands containing oil shale, and unsurveyed lands embraced in applications for lease based upon discovery of valuable deposits of potassium, sodium or sulphur under a prospecting permit, must be surveyed by the Government at the expense of the applicant prior to the issuance of a lease of the lands. To secure such a survey, the applicant must obtain from the appropriate regional cadastral engineer an estimate of the cost of the survey and deposit with him the estimated amount. After the survey has been accepted and the plat filed in the district land office the application will be adjusted to the resulting subdivisions and the cost of the survey will be ascertained by prorating the total cost of surveying the township to the area to be leased. The amount thus ascertained will be credited to the appropriation for surveying the public lands and the balance of the deposit, if any, returned to the depositor or his authorized representative. The survey of unsurveyed lands for any coal lease, or for a competitive lease for phosphate, potassium, sodium, oil, or gas, or sulphur will be made at the expense of the Government prior to the issuance of a lease of the lands.

2. Section 191.11 is amended by adding the word "noncompetitive" before the word "leases."

3. Section 191.12 is amended by deleting from the second sentence the word "leases" and by substituting in lieu of the words "an affidavit" in the same sentence the words "a statement."[1]

4. Section 191.25 is amended to read as follows:

§ 191.25 *Waiver, suspension, or reduction of rental or minimum royalty or reduction of royalty on mineral leases.* In order to encourage the greatest ultimate recovery of coal, phosphate, potassium,

[1] 18 U. S. C. section 30 makes it a crime for any person knowingly or wilfully to submit or cause to be submitted to any agency of the United States any false or fraudulent statement as to any matter within its jurisdiction.

sodium, oil shale, oil, or gas and sulphur, and in the interest of conservation, the Secretary of the Interior whenever he determines it necessary to promote development or finds that the leases cannot be successfully operated under the terms provided therein may waive, suspend, or reduce the rental or minimum royalty or reduce the royalty on an entire leasehold, or on any deposit, tract, or portion thereof segregated for royalty purposes.

An application for any of the above benefits shall be filed in triplicate in the office of the oil and gas supervisor for oil and gas leases or the office of the mining supervisor for coal, phosphate, potassium, sodium, oil shale and sulphur leases. It must contain the serial number of the leases, the land district, the name of the record title holder and operator or sublessee and the description of the lands by legal subdivision.

Each application involving oil or gas shall show the number, location, and status of each well that has been drilled, a tabulated statement for each month covering a period of not less than six months prior to the date of filing the application of the aggregate amount of oil or gas subject to royalty computed in accordance with the oil and gas operating regulations, the number of wells counted as producing each month, and the average production per well per day.

Each application involving coal, phosphate, potassium, sodium, oil shale and sulphur shall show the number and location of each mine, a map showing the extent of the mining operations, a tabulated statement of the minerals mined and subject to royalty for each month covering a period of not less than 12 months next prior to the date of filing of the application, and the average production per day mined for each month and complete information as to why the minimum production was not attained.

Every application must contain a detailed statement of expenses and costs of operating the entire lease, the income from the sale of any leased products, and all facts tending to show whether the wells or mines can be successfully operated upon the royalty or rental fixed in the lease. Where the application is for a reduction in royalty full information shall be furnished as to whether royalties or payments out of production are paid to others than the United States, the amounts so paid and efforts made to reduce them. The applicant must also file agreements of the holders of the lease and of the royalty holders to a permanent reduction of all other royalties from the leasehold to an aggregate not in excess of one-half the Government royalties.

5. The last paragraph of § 191.26 is amended to read as follows:

§ 191.26 *Suspension of operations and production and suspension of rental payments.* * * *

The minimum annual production requirements of a lease issued under the act for coal, phosphate, potassium, sodium, oil shale or sulphur shall be proportionately reduced for that portion of a lease year for which suspension of operations and production is directed or granted by the Secretary of the Interior in the interest of conservation.

(41 Stat. 450, Pub. Law 576, 80th Cong.; 30 U. S. C. 189)

MARION CLAWSON,
Director.

Approved: September 17, 1948.

C. GIRARD DAVIDSON,
Acting Secretary of the Interior.

[F. R. Doc. 48-8679; Filed, Sept. 28, 1948; 8:48 a. m.]

Appendix—Public Land Orders

[Public Land Order 522]

ARKANSAS

REVOCATION OF PUBLIC LAND ORDER NO. 120 OF MAY 11, 1943

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 120 of May 11, 1943, withdrawing the following-described public lands within the Ouachita National Forest, Arkansas, and reserving the minerals in such lands under the jurisdiction of the Secretary of the Interior, for use in connection with the prosecution of the war, is hereby revoked:

FIFTH PRINCIPAL MERIDIAN

T. 1 S., R. 21 W.,
Sec. 1, SW¼SW¼;
Sec. 11, NW¼NW¼, NE¼SE¼SE¼, S½S½SE¼, S½N½SW¼SE¼, E½NW¼SE¼SE¼, SW¼NW¼SE¼SE¼;
Sec. 12, SE¼NE¼, S½NW¼, N½SE¼, N½SE¼SE¼, SW¼SE¼, E½SW¼, SW¼SW¼.
T. 3 S., R. 24 W.,
Sec. 9, N½NE¼, NW¼, N½SE¼, SW¼;
Sec. 10, N½NE¼, NW¼NW¼, SE¼, N½SW¼.

The areas described aggregate 1367.50 acres.

This order shall not become effective to change the status of such lands until 10:00 a. m. on November 20, 1948.

C. GIRARD DAVIDSON,
Acting Secretary of the Interior.

SEPTEMBER 18, 1948.

[F. R. Doc. 48-8678; Filed, Sept. 28, 1948; 8:47 a. m.]

NOTICES

CIVIL AERONAUTICS BOARD

[Docket No. SA-176]

ACCIDENT OCCURRING AT TAMPA, FLA.

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC 33682 which occurred at Tampa, Florida, on September 8, 1948.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Thursday, September 30, 1948, at 9:30 a. m. (local time) in Room 309, 3rd Floor, Post Office Building, Tampa, Florida.

Dated at Washington, D. C., September 23, 1948.

[SEAL] FRANCIS H. MCADAMS,
Presiding Officer.

[F. R. Doc. 48-8694; Filed, Sept. 28, 1948; 8:54 a. m.]

[Docket No. 2377 et al.]

RESORT AIRLINES, INC. AND AMERICAN AIR EXPORT AND IMPORT CO.; "SKYCRUISE" CASE

NOTICE OF ORAL ARGUMENT

In the matter of the applications for certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, authorizing the operation of all-expense tours or vacation cruises within the United States and between the United States and foreign countries.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be held on October 18, 1948, at 10:00 a. m., eastern standard time, in Room 5042, Commerce Building, 14th Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., September 23, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 48-8687; Filed, Sept. 28, 1948; 8:53 a. m.]

[Docket No. 3119]

DELTA AIR LINES, INC.; MAIL RATE PROCEEDING

NOTICE OF HEARING

In the matter of the compensation for the transportation of mail by aircraft, the facilities used and useful therefor, and the services connected therewith, of Delta Air Lines, Inc., over its entire system, and the Board's Order to Show Cause, Serial No. E-1959, dated September 7, 1948.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, that a hearing in the above-entitled proceeding is assigned to be held on September 30, 1948, at 10:00 a. m. (eastern

standard time) in Room 1011, Temporary Building No. 5, 16th Street and Constitution Avenue, NW, Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., September 23, 1948.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 48-8688; Filed, Sept. 28, 1948; 8:53 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

CONTINUED OPERATION OF INTERNATIONAL BROADCAST STATIONS

ORDER EXTENDING LICENSE TERM

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 21st day of September 1948;

The Commission having under consideration its order of March 31, 1948, and the provisions of that order under which the licenses of international broadcasting stations would expire September 30, 1948,

It is ordered, That the license term for every international broadcasting station presently licensed shall end at the earlier of the following dates: (a) March 31, 1949, or (b) the first day on which its operations are not controlled, by agreement or otherwise, by the Department of State, Office of International Information and Cultural Affairs, or other governmental agency supervising the operation of international broadcasting; *Provided,* That this shall be without prejudice to the consideration of appropriate application filed by the licensee of any such station for authority to operate otherwise.[1]

By direction of the Commission.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-8689; Filed, Sept. 28, 1948; 8:53 a. m.]

[Docket Nos. 6824, 7357, 7621]

WOOP, INC., ET AL.

ORDER SCHEDULING ORAL ARGUMENT

In re applications of WOOP, Inc., Dayton, Ohio, Docket No. 6824, File No. BP-3987; Northwestern Ohio Broadcasting Corporation, Lima, Ohio, Docket No. 7357, File No. BP-4447; Sky Way Broadcasting Corporation, Columbus, Ohio, Docket No. 7621, File No. BP-4824; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of September 1948:

The Commission having under consideration: (1) A petition for rehearing (filed April 1, 1948) as well as a brief and supplemental brief in support thereof by Sky Way Broadcasting Corporation, Columbus, Ohio, directed against the Decision of the Commission of March 15, 1948, granting the above-entitled application of Northwestern Ohio Broadcasting Corporation, Lima, Ohio, and denying petitioner's above-entitled conflicting application and the application of WOOP, Inc., Dayton, Ohio; (2) replies and oppositions filed by Northwestern Ohio Broadcasting Corporation, Lima, Ohio, to the petition for rehearing and supplemental brief; (3) an answer to such replies (filed August 9, 1948) by the petitioner; and (4) an application by Northwestern Ohio Broadcasting Corporation for modification of construction permit (File No. BMP-3714) filed March 15, 1948, to specify a different site and to change directional system; and

It appearing, that the Commission's decision of March 15, 1948, includes a finding-of-fact which is erroneous; that the Commission's decision was based in part upon said erroneous finding; that a quorum of the Commissioners who heard oral argument are not available; that revised findings must be made by a quorum of Commissioners to whom the parties have not had an opportunity to address oral argument; that, accordingly, said decision must be vacated and the parties given an opportunity for such argument; that the issuance of a revised proposed decision based upon reconsideration of the record and corrected findings-of-fact upon which the parties may file exceptions, and make oral argument on the date herein specified, is required for the most expeditious determination of this proceeding, consistent with the legal rights of the parties;

It further appearing, that the application by Northwestern Ohio Broadcasting Corporation for modification of construction permit should be placed in the Commission's pending files in view of the action herein and of the provisions of section 405 of the Communications Act of 1934, as amended; and

It further appearing, that WOOP, Inc., Dayton, Ohio, filed no exceptions to the proposed decision, and has filed no petition for rehearing with respect to the Commission's decision of March 15, 1948, and, therefore, the decision of March 15, 1948, remains in full force and effect with respect to the application of WOOP, Inc.

It is, therefore, ordered, That the petition for rehearing of Sky Way Broadcasting Corporation, insofar as a request is made that the decision of March 15, 1948, be set aside, be, and it is hereby, granted; and

It is further ordered, That the decision of March 15, 1948, to the extent that it affects the applications of Northwestern Ohio Broadcasting Corporation and Sky Way Broadcasting Corporation be, and it is hereby, set aside; and

It is further ordered, That oral argument upon any exceptions that may be filed by the parties pursuant to § 1.854 of the Commission's rules be, and it is hereby, scheduled for October 15th, 1948, at 10 a. m. and

It is further ordered, That Northwestern Ohio Broadcasting Corporation's application for modification of construction permit (File No. BMP-3714) be, and it is hereby, referred to the Commission's files pending the adoption of a final decision in this proceeding.

Released: September 21, 1948.

Federal Communications Commission, Commissioners Walker and Jones not participating; Commissioner Hyde dissenting.

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-8692; Filed, Sept. 28, 1948; 8:53 a. m.]

[Docket No. 8230]

COMMUNICATIONS SERVICE BETWEEN U. S. AND OVERSEAS AND FOREIGN POINTS

ORDER CONTINUING HEARING

In the matter of charges for communications service between the United States and overseas and foreign points, Docket No. 8230; further hearing re: multiple address press service.

It appearing that a further hearing in the above matter is now scheduled to commence on October 12, 1948 and that a hearing on this date will conflict with oral arguments scheduled to be held before the Commission en banc;

It is ordered, This 14th day of September 1948, that the hearing in this proceeding now scheduled for October 12, 1948, is continued upon the Commission's own motion until 10:00 a. m. November 15, 1948, at the same place as heretofore designated.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] T. J. SLOWIE, *Secretary.*

[F. R. Doc. 48-8690; Filed, Sept. 28, 1948; 8:53 a. m.]

[Change List No. 2]

DOMINICAN REPUBLIC BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

Notification under provisions of Part III, section 2 of the North American Regional Broadcasting Agreement. List of changes, proposed changes, and corrections in assignments of Dominican Republic broadcast stations modifying appendix containing assignments of Dominican Republic broadcast stations (Mimeograph 47214-2) attached to the recommendations of the North American Regional Broadcasting Agreement engineering meeting, January 30, 1941.

[1] Licensees of international broadcasting stations may also be authorized to engage in certain limited independent operation of their facilities. Such independent operation will not be regarded, for purposes of this order, as being inconsistent with continued operation of such station until September 30, 1948, as provided in (a) above.

DOMINICAN REPUBLIC

August 24, 1948.

Call letters	Location	Power	Time designation	Class	Probable date to commence operation
HI2R	San Cristobal	250w	630 kilocycles (U)	IV	January 1949.
HIG	Ciudad Trujillo	150w	900 kilocycles		
			(Delete—see assignment on 930 kc.) [1]		
HIG	do	250w	930 kilocycles (U)	IV	Do.
HI3T	do	10kw	1040 kilocycles (U)	I-B	In operation.
HIN	do	150w	1090 kilocycles		
			(Delete—see assignment on 1220 kc.)		
HI9U	Puerto Plata	250w	1150 kilocycles (U)	IV	January 1949.
HI3T	Ciudad Trujillo		1170 kilocycles		
			(Delete—see assignment on 1040 kc.) [2]		
HIN	do	750w	1220 kilocycles (U)	II	Do.
HIL	do	500w	1450 kilocycles (U)	III-B	Do.

[1] The Commission has no previous record of assignment of HIG on 900 kc.
[2] Entry from Commission records; see Dominican Republic Change List No. 1.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-8691; Filed, Sept. 28, 1948; 8:53 a. m.]

DELAWARE BROADCASTING CO.

PUBLIC NOTICE CONCERNING PROPOSED TRANSFER OF CONTROL [1]

The Commission hereby gives notice that on September 15, 1948, there was filed with it an application (BTC-683) for its consent under section 310 (b) of the Communications Act to the proposed transfer of control of Delaware Broadcasting Company licensee of WILM and permittee of WILM-FM from Alfred G. Hill, et al. to Hawkins Broadcasting Co., Inc. The proposal to transfer control arises out of a contract of August 31, 1948, pursuant to which the transferors propose to sell 606 shares of the common stock and 102 shares of the preferred stock, representing 100% of the issued stock, of Delaware Broadcasting Company to Hawkins Broadcasting Co., Inc., for a total consideration of $205,000 of which $2,500 has been paid. The remainder is to be paid in the following manner: (a) $18,700.00 on September 15, 1948; (b) $111,800 on the closing date; (c) $36,000 on or before the 12th calendar month subsequent to the closing date; (d) $36,000 on or before the 24th calendar month subsequent to the closing date. The agreement further provides that the purchaser will give its notes to sellers and that such notes will be secured by the pledge of the stock being sold until the principal and interest thereon have been paid. Further information as to the arrangements may be found with the application and associated papers which are on file at the offices of the Commission in Washington, D. C.

Pursuant to § 1.321 which sets out the procedure to be followed in such cases including the requirement for public notice concerning the filing of the application, the Commission was advised by applicant that starting on September 16, 1948, notice of the filing of the application would be inserted in the Wilmington Morning News a newspaper of general circulation at Wilmington, Delaware, in conformity with the above section.

[1] Section 1.321, Part 1, Rules of Practice and Procedure.

In accordance with the procedure set out in said section, no action will be had upon the application for a period of 60 days from September 16, 1948, within which time other persons desiring to apply for the facilities involved may do so upon the same terms and conditions as set forth in the above described contract.

(Sec. 310 (b), 48 Stat. 1086; 47 U. S. C. 310 (b))

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-8693; Filed, Sept. 28, 1948; 8:54 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E-6167]

IOWA ELECTRIC CO.

NOTICE OF APPLICATION

SEPTEMBER 23, 1948.

Notice is hereby given that on September 22, 1948, an application was filed with the Federal Power Commission, pursuant to sections 201 and 204 of the Federal Power Act, by Iowa Electric Company, a corporation organized under the laws of the State of Iowa, and with its principal business office at Cedar Rapids, Iowa, seeking a declaratory order that the Applicant is not subject to the jurisdiction of the Commission, or in the alternative, an order authorizing the issuance of $300,000 in promissory notes, bearing interest at the rate of 3½% per annum, to be issued as soon as possible after approval, to mature $25,000 six months after date of issuance and $25,000 at the expiration of each six months thereafter for four additional successive installments, and $175,000 three years after the date of issuance. The notes will be issued to The Merchants National Bank, Cedar Rapids, Iowa, as evidence of borrowing from such bank; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 11th day of October, 1948, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-8686; Filed, Sept. 28, 1948; 8:53 a. m.]

RAILROAD RETIREMENT BOARD

RAILROAD UNEMPLOYMENT INSURANCE ACCOUNT

In pursuance of the requirement contained in the Railroad Unemployment Insurance Act as amended by section 5 (a) of Public Law 744, 80th Congress (June 23, 1948), the Railroad Retirement Board has determined, and hereby proclaims, that the balance to the credit of the Railroad Unemployment Insurance Account in the Treasury of the United States as of the close of business on September 30, 1947 was $883,901,036.90.

In witness whereof the members of the Railroad Retirement Board have hereunto set their hands and caused its seal to be affixed.

Done at Chicago, Illinois, this 17th day of September 1948.

By the Railroad Retirement Board.

MARY B. LINKINS,
Secretary of the Board.
W. J. KENNEDY,
Chairman.
F. C. SQUIRE,
Member.
J. G. LUHRSEN,
Member.

[F. R. Doc. 48-8677; Filed, Sept. 28, 1948; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 30-137]

MINNEAPOLIS GAS CO.

ORDER DECLARING MINNEAPOLIS HAS CEASED TO BE A HOLDING COMPANY

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 22d day of September A. D. 1948

Minneapolis Gas Company ("Minneapolis"), formerly known as American Gas and Power Company, a registered holding company, having filed an application pursuant to section 5 (d) of the Public Utility Holding Company Act of 1935 ("act") for an order under said act declaring that Minneapolis has ceased to be a holding company, which application recites, among other things, that Minneapolis does not directly or indirectly own, control, or hold with power to vote 10% or more of the outstanding voting securities of any public utility company as defined in section 2 of the act, or of any company which is a holding company by virtue of section 2 (a) (7) of the act; and

The application having further stated that the plan of integration and simplifi-

cation filed by Community Gas and Power Company and American Gas and Power Company, both registered holding companies, pursuant to section 11 (e) of the act which provided, among other things, for the dissolution of Community Gas and Power Company, the merger of Minneapolis Gas Light Company with its parent, American Gas and Power Company, and a change of the corporate name of the surviving company to Minneapolis Gas Company, and which was approved by the Commission by Orders entered on April 10, 1946, and January 14, 1947, was consummated on July 30, 1948, with the single exception that the fees and expenses in connection with the plan have not been approved by the Commission; and it appearing that jurisdiction has been reserved in said orders approving the plan to determine the reasonableness and appropriate allocation of such fees and expenses; and

The Commission having issued a Notice of Filing on September 10, 1948, with respect to said application, said notice having stated that any interested person might, not later than September 20, 1948, request the Commission in writing that a hearing be held on such matter, and the Commission not having received a request for hearing with respect to said application within the period prescribed in said notice, or otherwise, and not having ordered a hearing thereon; and

The Commission finding that Minneapolis has ceased to be a holding company, that it is necessary for the protection of investors that the Commission retain jurisdiction over Minneapolis in respect of any further proceedings to determine the reasonableness and the appropriate allocation of all fees, expenses and other remuneration incurred by Community Gas and Power Company and American Gas and Power Company and their subsidiary companies in connection with said Plan of Integration and Simplification and the transactions incident thereto, in the same manner and to the same extent as though Minneapolis were still in all respects a registered holding company, and that except for such retained jurisdiction the registration of Minneapolis as a holding company should cease to be in effect;

It is ordered, Pursuant to the provisions of section 5 (d) of the Public Utility Holding Company Act of 1935, that Minneapolis Gas Company has ceased to be a holding company and that, subject to the condition prescribed below, the registration of Minneapolis Gas Company as a holding company shall cease to be in effect: *Provided, however*, That this order shall be subject to the condition, which is prescribed as necessary for the protection of investors, that the Commission shall retain jurisdiction over Minneapolis Gas Company in respect of any further proceedings, investigations, and/or orders which the Commission may deem necessary or appropriate pursuant to the reservation of jurisdiction, contained in the Commission's orders of April 10, 1946, and January 14, 1947, approving a Plan of Integration and Simplification filed pursuant to section 11 (e) of the act by Community Gas and Power Company and American Gas and Power Company, to determine the reasonableness and appropriate allocation of all fees, expenses, and other remuneration incurred and to be incurred by Community Gas and Power Company, American Gas and Power Company and their subsidiary companies in connection with said plan and the transactions incident thereto, in the same manner and to the same extent as though Minneapolis Gas Company were still in all respects a registered holding company.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-8682; Filed, Sept. 28, 1948; 8:48 a. m.]

[File No. 70-1905]

COMMONWEALTH & SOUTHERN CORP. (DEL) ET AL.

SUPPLEMENTAL ORDER RELEASING JURISDICTION WITH REGARD TO ISSUANCE AND SALE OF BONDS

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 22d day of September A. D. 1948.

In the matter of the Commonwealth & Southern Corporation (Delaware), Ohio Edison Company, Pennsylvania Power Company, File No. 70-1905.

The Commonwealth & Southern Corporation ("Commonwealth"), a registered holding company, Ohio Edison Company ("Ohio"), a public utility subsidiary of Commonwealth and also a registered holding company, and Pennsylvania Power Company, a direct public utility subsidiary of Ohio, having filed joint applications-declarations and amendments thereto pursuant to the provisions of the Public Utility Holding Company Act of 1935 ("the act") concerning among other things, the proposed issuance and sale by Ohio, pursuant to the competitive bidding requirements of Rule U-50, of $12,000,000 principal amount of its First Mortgage Bonds of a series bearing interest at a rate not to exceed 3½% per annum and maturing in 30 years; and

The Commission having by order dated September 9, 1948 permitted the declaration of Ohio, as amended, with respect to the issuance and sale of said bonds to become effective, subject, however, to the condition, among others, that the proposed issuance and sale of bonds should not be consummated until the results of the competitive bidding pursuant to Rule U-50 had been made a matter of record in this proceeding and a further order had been issued by this Commission in the light of the record so completed; and

Ohio having filed a further amendment herein setting forth the action taken by Ohio to comply with the requirements of Rule U-50 and stating that, pursuant to the invitation for competitive bids, the following bids for the bonds have been received:

Bidding group headed by—	Coupon rate (percent)	Price to company (percent of principal amount)	Annual cost of money (percent)
Equitable Securities Corp.	3⅛	102.183	3.0139
Halsey, Stuart & Co., Inc.	3⅛	102.179991	3.0141
Glore, Forgan & Co.	3⅛	102.132	3.0165
The First Boston Corp.	3⅛	102.09	3.018603
Lehman Bros.	3⅛	102.0899	3.018608
Morgan Stanley & Co.	3⅛	102.05	3.0206

Said amendment having further stated that Ohio has accepted the bid of Equitable Securities Corporation, as set out above, and that such bonds will be offered for sale to the public at a price of 102.457% of the principal amount thereof plus accrued interest from September 1, 1948 to the date of delivery, resulting in an underwriter's spread of 0.274% of the principal amount of said bonds;

The Commission having examined said amendment and having considered the record herein and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, the coupon rate and the proposed underwriter's spread in connection therewith:

It is ordered, That the jurisdiction heretofore reserved with respect to the matters to be determined as the result of competitive bidding in connection with the said bonds under Rule U-50 be, and the same hereby is, released, and that said declaration of Ohio, as amended, with respect to the issuance and sale of said bonds be, and the same hereby is, permitted to become effective forthwith, subject, however, to the terms and conditions prescribed in Rule U-24 and to the continuance of jurisdiction heretofore reserved with respect to all fees and expenses of all counsel to be paid in connection with the proposed transaction.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 48-8681; Filed, Sept. 28, 1948; 8:48 a. m.]

[File Nos. 70-1925, 70-1926]

WISCONSIN POWER AND LIGHT CO. AND MIDDLE WEST CORP.

SUPPLEMENTAL ORDER RELEASING JURISDICTION WITH REGARD TO ISSUANCE AND SALE OF BONDS AND GRANTING AND PERMITTING APPLICATION-DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 22d day of September A. D. 1948

Wisconsin Power and Light Company ("Wisconsin"), a public utility subsidiary of the Middle West Corporation, a registered holding company, having filed an application-declaration and amendments thereto pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935 and Rule U-50 promulgated thereunder with respect to, among other things, the issue and sale by Wisconsin of $5,000,000 principal amount of First Mortgage Bonds, Series C, ------%, due September 1, 1978; and

The Commission having by Order dated September 9, 1948, granted and permitted to become effective said application-declaration, as amended, subject to the condition that the proposed issuance and sale of bonds shall not be consummated until a further order of the Public Service Commission of Wisconsin expressly authorizing the issue and sale of said bonds be filed herein and the results of competitive bidding with respect to said bonds pursuant to Rule U-50 shall have been made a matter of record, and a further order shall have been entered by this Commission in the light of the record so completed; and

Wisconsin having on September 22, 1948, filed a further amendment to said application-declaration containing an order of the Public Service Commission of Wisconsin expressly authorizing the issue and sale of said bonds and further stating that it has offered the bonds for sale pursuant to the competitive bidding requirements of Rule U-50 and has received the following bids:

Name of bidder	Price to company (percent of principal amount)[1]	Interest rate	Cost to company
			Percent
The First Boston Corp.	102.13999	3⅛	3.0162
Halsey, Stuart & Co., Inc.	102.13	3⅛	3.0167
Glore, Forgan & Co.; Harriman, Ripley & Co., Inc.	102.1099	3⅛	3.0177
Equitable Securities Corp.	102.101	3⅛	3.0181
Salomon Bros. & Hutzler	102.101	3⅛	3.0181
Lehman Brothers; Bear, Stearns & Co.	101.8099	3⅛	3.0328
White, Weld & Co.; Kidder, Peabody & Co.	101.591	3⅛	3.0439

[1] Plus accrued interest from Sept. 1, 1948.

The amendment further stating that Wisconsin has accepted the bid of the First Boston Corporation for the First Mortgage Bonds as set forth above, and that the said bonds will be offered for sale to the public at a price of 102.46000% of principal amount thereof plus accrued interest, resulting in an underwriting spread of 0.32001% of the principal amount of the bonds; and

The Commission having examined said amendment and having considered the record herein and finding that the applicable standards of the act and the rules and regulations thereunder have been complied with, and finding no basis for imposing terms and conditions with respect to the price to be paid for said bonds, or the underwriter's spread and the allocation thereof;

It is hereby ordered, That jurisdiction heretofore reserved with respect to the issue and sale of said First Mortgage Bonds be, and the same hereby is, released, and the said application-declaration, as further amended be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 of the general rules and regulations under the act.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-8683; Filed, Sept. 28, 1948; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

[Vesting Order 11840]

ERNST H. G. MEYER

In re: Estate of and trust under will of Ernst H. G. Meyer, deceased. File D-28-3474.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Kuno Meyer, Rev. Erich Meyer, Mrs. Martha (Claus) Bauer, Paul Vahle, Magdalena Vahle, Frieda Reincke Oertal, Elsa Gladow, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the estate of Ernst H. G. Meyer, deceased, and trust under will of Ernst H. G. Meyer, deceased, is property payable or deliverable to, or claimed by the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Otto L. Fricke, 830 Williamson Building, Cleveland, Ohio, trustee, acting under the judicial supervision of the Probate Court of Cuyahoga County, State of Ohio,

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8696; Filed, Sept. 28, 1948; 8:59 a. m.]

[Vesting Order 11845]

GERTRUDE SCHWADE

In re: Estate of Gertrude Schwade, deceased. File No. D-28-11885; E. T. sec. 16072.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Maria Schlink Funk, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the person named in subparagraph 1 hereof in and to the estate of Gertrude Schwade, deceased, is property payable or deliverable to, or claimed by, the aforesaid national of a designated enemy country (Germany);

3. That such property is in the process of administration by Herman Schwade, as executor, acting under the judicial supervision of the County Court of Milwaukee County, Wisconsin;

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 18, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8697; Filed, Sept. 28, 1948; 8:59 a. m.]

[Vesting Order 11959]

MINISTRY OF COMMUNICATIONS OF JAPAN

In re: Debt owing to Japan. F-39-3040-C-3.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

That the property described as follows: That certain debt or other obligation owing to the Ministry of Communications of the Empire of Japan by Mutual Telephone Company, 1128 Alakea Street, Honolulu, T. H., in the amount of

$369.97 as of December 31, 1941, together with any and all accruals thereto and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8698; Filed, Sept. 28, 1948; 8:59 a. m.]

[Vesting Order 11964]

KIKUTARO TAKABAYASHI

In re: Debt owing to Kikutaro Takabayashi. F-39-1716-C-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Kikutaro Takabayashi, whose last known address is Yamaguchiken, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Kikutaro Takabayashi by State Savings and Loan Association, 239 Merchant Street, Honolulu, T. H., arising out of a savings account, Account Number 4430, entitled Mr. Kikutaro Takabayashi, maintained with said association, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8699; Filed, Sept. 28, 1948; 8:59 a. m.]

[Vesting Order 11966]

SHIHO UYEMA

In re: Bank account owned by Shiho Uyema. D-39-18647-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Shiho Uyema, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Shiho Uyema by Bank of Hawaii, King and Bishop Streets, Honolulu, T. H., arising out of a savings account, Account Number 208015, maintained in said bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of, or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 2, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8700; Filed, Sept. 28, 1948; 8:59 a. m.]

[Vesting Order 12024]

MATILDA GUCKERT

In re: Estate of Matilda Guckert, deceased. File No. D-28-12351; E. T. sec. 16574.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Joseph Hull, Carl Hull, Leonard S. Hull, Elizabeth Schembs, Joseph Guckert and George Guckert, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof in and to the estate of Matilda Guckert, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by W. E. Shappell and Elizabeth M. Janson, as executors, acting under the judicial supervision of the Orphans' Court of Philadelphia County, Pennsylvania;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8701; Filed, Sept. 28, 1948; 8:59 a. m.]

[Vesting Order 12025]

PAUL ZERULL

In re: Estate of Paul Zerull, deceased. File D–28–11721; E. T. sec. 15934.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Ida Magnus and Werner Zerull, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That all right, title, interest and claim of any kind or character whatsoever of the persons named in subparagraph 1 hereof, and each of them, in and to the Estate of Paul Zerull, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

3. That such property is in the process of administration by Bertha Hartenstein, as Administratrix, acting under the judicial supervision of the Probate Court of Wayne County, Michigan;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48–8702; Filed, Sept. 28, 1948; 8:59 a. m.]

[Vesting Order 12047]

CHARLES F. VORBECK

In re: Stock owned by Charles F. Vorbeck. F–28–13820–D–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Charles F. Vorbeck, whose last known address is Zollindland Str. 35–37, Wesermunde-Lehe, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Ten (10) shares of $20 par value common capital stock of Lansing National Bank, Lansing, Michigan, evidenced by a certificate numbered 985, registered in the name of Charles F. Vorbeck, together with all declared and unpaid dividends thereon, and all rights of exchange for $10 par value capital stock of Michigan National Bank; and

b. Eighteen and two-thirds (18⅔) shares of $10 par value capital stock of Michigan National Bank, Lansing, Michigan, evidenced by certificates numbered 7334 for six (6) shares, 11805 for six (6) shares, 15695 for six (6) shares, and 7335 for two-thirds (⅔) shares, registered in the name of Charles F. Vorbeck, and presently in the custody of the Michigan National Bank, Lansing, Michigan, together with any and all declared and unpaid dividends thereon, and all checks representing the cash value of option warrants derived from ownership of the aforesaid stock together with any and all rights in, to and under, including particularly the right to possession and to present for payment, the aforesaid checks,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48–8703; Filed, Sept. 28, 1948; 9:00 a. m.]

[Vesting Order 12056]

MARGARET ELISE RIEDEMAN AND BANK OF ITALY NATIONAL TRUST AND SAVINGS ASSN.

In re: Trust agreement dated June 13, 1930 between Margaret Elise Riedeman also known as Margaret E. Riedeman also known as Margarete E. Riedeman, trustor and Bank of Italy National Trust and Savings Association, trustee. File D–28–7636–G–1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Margaret Elise Riedeman also known as Margaret E. Riedeman also known as Margarete E. Riedeman, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the domiciliary personal representatives, heirs at law, next of kin, legatees and distributees, names unknown, of Margaret Elise Riedeman also known as Margaret E. Riedeman also known as Margarete E. Riedeman, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof, in and to and arising out of or under that certain trust agreement dated June 13, 1930, by and between Margaret Elise Riedeman also known as Margaret E. Riedeman also known as Margarete E. Riedeman, trustor and Bank of Italy National Trust and Savings Association, trustee, presently being administered by the Bank of America National Trust and Savings Association, trustee, 300 Montgomery Street, San Francisco, California, including, but not limited to the right of trustor to amend or revoke the trust,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

4. That to the extent that the person named in subparagraph 1 hereof and the domiciliary personal representatives, heirs at law, next of kin, legatees and distributees, names unknown, of Margaret Elise Riedeman also known as Margaret E. Riedeman also known as Margarete E. Riedeman are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 16, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8704; Filed, Sept. 28, 1948; 9:00 a. m.]

[Vesting Order 11700, Amdt.]

TADAKI ARAKI ET AL.

In re: Stock in Maui Shinbun Co., Ltd., owned by Tadaki Araki and others.

Vesting Order 11700, dated July 22, 1948, is hereby amended as follows and not otherwise:

By inserting after the words "Maui Shinbun Co., Ltd.," in the title and in subparagraphs 3-a, 3-b and 4, the following: "now known as Valley Isle Publishing Company, Limited,"

All other provisions of said Vesting Order 11700 and all actions taken by or on behalf of the Attorney General of the United States in reliance thereon, pursuant thereto and under the authority thereof are hereby ratified and confirmed.

Executed at Washington, D. C., on August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8705; Filed, Sept. 28, 1948; 9:00 a. m.]

ARNOLD SCHOENBERG

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of the publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., and Property and Location

Arnold Schoenberg, 116 North Rockingham Avenue, Los Angeles 24, Calif.; 5758; $2,700 in the Treasury of the United States.

Executed at Washington, D. C., on September 23, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8706; Filed, Sept. 28, 1948; 9:00 a. m.]

[Vesting Order 12046]

DR. JOHANNES SCHUTZE

In re: Certificates of deposit owned by Dr. Johannes Schutze. F-28-23856-D-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Dr. Johannes Schutze, whose last known address is Brimzreginton Strasse 23, Berlin Wilmersdorf, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: All rights in and under two (2) certificates of deposit for Kreuger and Toll Company 5% Secured Sinking Fund Gold Debentures, said certificates of deposit of $500 face value each, numbered D1813 and D1814 and registered in the name of Dr. Johannes Schutze, including particularly any unclaimed distributions on the aforesaid certificates of deposit,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 14, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8668; Filed, Sept. 27, 1948; 8:50 a. m.]

[Vesting Order 11692]

EMILIE WOLFF

In re: Estate of Emilie Wolff, deceased. File No. D-28-12074; E. T. sec. 16277.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Carl Arnholdt, Helene Lange, Leonhard Buchner, Leischen Kulemann, and Ernst Buchner, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the sum of $180.00 was paid to the Attorney General of the United States by Sophie Schneider, Executrix of the estate of Emilie Wolff, deceased;

3. That the said sum of $180.00 was accepted by the Attorney General of the United States on May 7, 1948, pursuant to the Trading With the Enemy Act, as amended;

4. That the said sum of $180.00 is presently in the possession of the Attorney General of the United States and was property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which was evidence of ownership or control by, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

This vesting order is issued nunc pro tunc to confirm the vesting of the said property by acceptance as aforesaid.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on July 22, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8669; Filed, Sept. 27, 1948; 8:51 a. m.]

[Vesting Order 11795]

LUDWIG NICKEL

In re: Estate of Ludwig Nickel, deceased. File No. D-28-9285; E. T. sec. 12199.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Marie (Mary) Nickel, Wilhelm Weigel, Administrator of the estate of Katrina Nickel Reichert, deceased, Kathrina Fenchel Mohr, Ludwig Fenchel, Margaretha Fenchel, Frederick (Friedrich) Schildger, Emma Schildger Appel, Wilhelm Schildger, Maria Schildger Fuchs, Minna Schildger, Louise Schildger, Karl Schildger, Philip Schildger, Ernst Schildger, and Anna Schildger, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the heirs-at-law, next of kin, legatees and distributees, names un-

known, of Katrina Nickel Reichert, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That all right, title, interest and claim of any kind or character whatsoever of the persons identified in subparagraphs 1 and 2 hereof in and to the estate of Ludwig Nickel, deceased, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany);

4. That such property is in the process of administration by the County Treasurer of La Salle County, Illinois, as Depositary, acting under the judicial supervision of the Probate Court of La Salle County, Ilinois;

and it is hereby determined:

5. That to the extent that the persons named in subparagraph 1 hereof and the heirs-at-law, next of kin, legatees and distributees, names unknown, of Katrina Nickel Reichert, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 4, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-8670; Filed, Sept. 27, 1948; 8:51 a. m.]

[Vesting Order 11895]

GERMAN GOVERNMENT

In re: Bank occounts owned by German Government. D-28-3197-E-1; D-28-776-E-2/3/4/5/6/7/8/10.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That the property described as follows:

a. That certain debt or other obligation of the Riggs National Bank of Washington, D. C., 1503 Pennsylvania Avenue, N. W., Washington, D. C., arising out of a Checking Account, entitled German Embassy, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

b. That certain debt or other obligation of the Marine Midland Trust Company of New York, 17 Battery Place, New York 4, New York, arising out of a Checking Account, entitled German Consulate General, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

c. That certain debt or other obligation of First National Bank in St. Louis, 323 N. Broadway, St. Louis 2, Missouri, arising out of a Checking Account, entitled German Consulate, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

d. That certain debt or other obligation of Whitney National Bank of New Orleans, New Orleans, Louisiana, arising out of a Checking Account, entitled German Consulate, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

e. That certain debt or other obligation of the First National Bank of Boston, 67 Milk Street, Boston, Massachusetts, arising out of a Checking Account, entitled German Consulate, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

f. That certain debt or other obligation of Bank of America, N. T. & S. A., 660 South Spring Street, Los Angeles 14, California, arising out of a Commercial Account, entitled German Consulate, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

g. That certain debt or other obligation of Crocker First National Bank of San Francisco, One Montgomery Street, San Francisco 20, California, arising out of a Commercial Account, entitled German Consulate General, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

h. That certain debt or other obligation of the Cleveland Trust Company, Cleveland, Ohio, arising out of a Commercial Account, entitled German Consulate, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same, and

i. That certain debt or other obligation of Central-Penn National Bank, Philadelphia, Pennsylvania, arising out of a Checking Account, entitled German Consulate—Philadelphia, maintained at the aforesaid bank, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, a designated enemy country (Germany);

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The term "designated enemy country" as used herein shall have the meaning prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on August 30, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8671; Filed, Sept. 27, 1948; 8:51 a. m.]

[Vesting Order 12005]

OTTO FISCHER

In re: Stock owned by Otto Fischer.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Otto Fischer, whose last known address is Rosshaustrasse 14, Stuttgart-Degerloch, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: One hundred (100) shares of no par value common capital stock of Packard Motor Car Company, 1580 East Grand Blvd., Detroit, Michigan, a corporation organized under the laws of the State of Michigan, presently in the custody of Irving Trust Company, One Wall Street, New York, New York, and constituting a portion of the securities held by said Irving Trust Company for the account of Union Bank of Switzerland, Zurich, Switzerland, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by Otto Fischer, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on September 7, 1948.

For the Attorney General.

[SEAL] MALCOLM S. MASON,
Acting Deputy Director,
Office of Alien Property.

[F. R. Doc. 48-8672; Filed, Sept. 27, 1948; 8:51 a. m.]